



MINUTES

Leesburg Executive Airport

Special Meeting “Draft Lease Document”

October 23, 2002

Discussion Note: The Chairman stated this is a special meeting to discuss and receive input on the proposed T-Hangar lease at Leesburg Executive Airport.

Commission Members Present: Mr. Steve Axeman, Chairman, Mr. Sidney Lissner, Vice-Chairman, Mr. Stanley Caulkins, Mr. Bill Whyte, Mr. Bob Jones and Mr. Robert Zoldos, Councilmember.

Commission Member Absent: Mr. Roy Steinfort, and Mr. Dave Burton

Staff Present: Mr. Doug McNeeley, Airport Director, Mr. Terry Brant, Sr. Airport Maintenance Technician, Ms. Jackie Seipel, Administrative Associate

Guest: Mr. William Donnelly, Town Attorney

Public Comment:

- Mr. Dennis Boykin wanted to ensure the Director got his correspondence and shared it with the Commission. The Director responded that he had received it but was holding it along with other comments to present in a package to the Commission.

Directors Comments:

- The Director has asked the public for lease comments related to safety and other specific concerns.

He stated the goal of this lease is to protect the interests of the (TOL) Town of Leesburg . It is not significantly different from the current lease and is based upon normal and customary policies at similar airports.

Commission “Draft Lease” Discussion:

- Mr. Lissner reviewed AOPA lease provided by Mr. Boykin
- Mr. Axeman was concerned with the lack of bartering power, and wants to see a more flexible lease that can also protect the TOL.
- Director has only received 5 to 6 e-mails to date, including the “Tenants Bill of Rights” created by Mr. Frolic.
- Mr. Lissner, questioned if the lease had been reviewed by the TOL insurance agency.
- The Director responded, that it is currently being reviewed by VML. A letter will be issued by VML.
- The Director would like to have a better information regarding accounts receivable.
- Mr. Caulkins asked if a propeller can be chained. According to the Town Attorney this is considered “self help” and is not recommended. Instead the Town Attorney recommends terminating the lease, which would result in a court order.
- Mr. Lissner asked what would the cost of eviction be? What does it cost the TOL to chase down delinquencies?
- Mr. Lissner requested an aging report to track tenants accounts.
- Mr. Axeman asked if it was customary for tenants to insure the aircraft only and not the contents of the hangar?
- The Director and Mr. Donnelly stated general liability coverage in addition to standard aircraft policy protects the TOL. A one-page lease is doable as long as everyone is a “model” tenant but in order to protect the town we must have a more detailed lease that does not put the TOL at risk.
- Mr. Lissner wanted to know if the current lease put the TOL at risk? The Town Attorney responded that the draft lease protects the TOL more then the current lease.
- Mr. Donnelly clarified that funding for CIP projects comes primarily from grants, but the taxpayers of Leesburg contribute to the operational funds to run the airport.
- Mr. Lissner stated his position that he would vote against a new lease until applicable Rules and Regulations are codified.
- Mr. Lissner is in favor of a short list of rules and regulations for the tenants.
- Based on advise from the Town Attorney, the Director wants as much detail as possible in the lease document.
- Heaters – Not allowed per code, electrical contractor said the power is sufficient to operate compressors, and refrigerators.
- Mr. Lissner wants a short list of housekeeping rules.
- Mr. Zoldos suggested a short list of items that are acceptable. This could be an addendum to the current lease.

- Mr. Whyte stated addendum must be part of the lease.
- Mr. Lissner feels that the tenants don't have a clear understanding of what is and what is not permissible
- Mr. Whyte clarified that the Rules and Regulations are not the same as a lease.
- Mr. Axeman requested information on why maintenance can't be performed in hangars.
- The Director responded because the hangars are intended for the cold storage of aircraft, to reduce liability exposure to the town, to comply with code, and because commercial activity requires two licenses.
- Director will establish bullet points from current lease and Rules and Regulations
- Mr. Lissner suggested the 30-day notice to change rent provision needs to be clarified.
- Mr. Jones inquired if more than one aircraft can be stored in T-hangars.
- The Director responded this would encourage subleasing and would be difficult to monitor by staff and that it could increase liability to the town.
- Mr. Axeman stated that the TOL should be responsible to maintain all hangars.
- Mr. Whyte stated his position that the Services Provided provision should be expanded.
- Mr. Zoldos suggested staff implement a pilot outreach program.
- The commission unanimously agreed that the current and draft lease be posted on the TOL web site. They established a deadline of November 20th for written comments to the Director. The Director will prepare a written summary of comments received. Discussion will continue at the December 12, 2002 Commission meeting.
- Town Attorney recommended mailing a notice of comment deadline in the next billing to all current hangar tenants. Notices should also be posted in the airport lobby.

Adjournment

Motion to adjourn was made at 8:45 pm. Motion was seconded. All were in favor and motion carried.